

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Howard Hoy,)
)
Plaintiff,)
)
vs.)
)
Soo Line Railroad Company, d/b/a)
Canadian Pacific Railway)
Company, a corporation,)
)
Defendant and)
Third-Party Plaintiff)
)
vs.)
)
The Arthur Companies,)
)
Third-Party Defendant and)
Fourth-Party Plaintiff,)
)
vs.)
)
R&R Contracting, Inc.)
)
Fourth-Party Defendant.)

ORDER

Case No. 4:12-cv-088

On May 21, 2013, the parties filed as a stipulation their proposed scheduling and discovery plan. The court **ADOPTS** the parties stipulation (Docket No. 25) and approves their proposed plan.

The court further **ORDERS**:

1. The parties shall make by June 19, 2013, Rule 26(a)(1) disclosures in writing, signed, and served upon the other party.
2. The parties shall have until December 31, 2013, to complete fact discovery and to file discovery motions.

3. The parties shall provide the names of expert witnesses and complete reports under Rule 26(a)(2) as follows:
 - a. Plaintiff shall provide the names and complete reports of expert witnesses under Rule 26(a)(2) by November 30, 2013.
 - b. Defendant shall provide the names and complete reports of expert witnesses under Rule 26(a)(2) by December 31, 2013.
 - c. Plaintiff shall provide the names and complete reports of rebuttal expert witnesses under Rule 26(a)(2) by January 15, 2014.
4. The parties shall have until March 3, 2014, to complete discovery depositions of expert witnesses.
5. The parties shall have until August 30, 2013, to move to join additional parties.
6. The parties shall have until August 30, 2013, to move to amend pleadings to add claims or defenses.
7. The parties shall have until August 30, 2013, to file other nondispositive motions (e.g., consolidation, bifurcation).
8. The parties shall have until August 30, 2013, to file threshold motions (e.g., jurisdiction, qualified immunity, statute of limitations). Discovery shall not be stayed during the pendency of such motions.
9. The parties shall have until February 15, 2014, to file other dispositive motions (summary judgment as to all or part of the case).
10. The parties shall serve no more than 50 interrogatories, including subparts. No broad contention interrogatories (i.e., “List all facts supporting your claim that . . .”) shall

be used.

11. Each side shall take no more than 20 discovery depositions.
12. Depositions taken for presentation at trial shall be completed 30 days before trial.

Dated this 23rd day of May, 2013.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge